

REMARKS

Claims 1-25 are pending in this application. In light of the following remarks, Applicants request reconsideration and allowance of the pending claims.

The Applicants appreciate Examiner Koppikar's agreement to conduct a personal interview on August 9, 2006. As agreed, Applicants will submit a supplemental response if deemed necessary in light of the personal interview and appreciate Examiner Koppikar's agreement to enter such a response.

Foreign Priority

The Office has not yet acknowledged Applicants' claim for priority filed March 21, 2002. Applicants request that Applicants' claim for priority is acknowledged in the next Office Action.

Claim Rejections Under 35 U.S.C. §102(b)

The Office Action rejects claims 1-2, 4-14 and 16-25 under 35 U.S.C. §102(b) over U.S. Patent No. 5, 797,134 to McMillan. Applicants respectfully traverse the rejection.

McMillan discloses a motor vehicle monitoring system for determining insurance cost. An on-board computer 300 monitors and records various sensors and operator actions (col. 6, lines 43-48). Driver input can be entered through driver input device 308 (col. 6, lines 54-56). Examples of data monitored are given in col. 6 at lines 31-42 and in col. 7, line 27 - col. 8, line 25. The on-board system communicates with an operation control center 416 by wireless or radio connection (col. 6, lines 62-64 and col. 7, lines 17-19).

Regarding claim 1, McMillan fails to disclose "data input means for inputting data relating to maintenance or management of said vehicle". Although the Office Action alleges McMillan teaches this with driver input device 308 (col. 6, lines 54-58), there is no teaching that the driving device 308 receives or is capable of receiving maintenance or management data. Further, because McMillan is silent as to any use of maintenance or management data,

it is not inherent that maintenance or management data can be input by driver input device 308.

Regarding not just claim 1, McMillan is silent as to the input, transmittal, or processing of maintenance or management data. Thus, as disclosed and by design, the device of McMillan is incapable of handling maintenance or management data. In contrast, the claimed subject matter uses maintenance or management data in order to provide a system which is improved compared to systems such as McMillan.

Regarding claim 6, McMillan fails to disclose the means for displaying; the data input means for inputting maintenance or management data; and the server side sending means for sending calculated insurance premiums to the on-board apparatus. The Office Action alleges that the means for displaying is disclosed at col. 10, lines 41-44, but this cited passage refers to the printing of billing information which is not on-board the vehicle. The data input means is not taught as discussed above. The Office Action alleges that the server side sending means is taught at col. 10, lines 41-44, but the cited section refers to sending billing information in printed form or electronically to the insured. There is no teaching that this information is transmitted to the vehicle.

Regarding claims 7-11, the Office Action does not indicate where each element of the claims is taught by McMillan. Thus, the Office Action has failed to provide a *prima facie* rejection as required. Claim 7 includes the on-board input means for inputting maintenance or management data and the on-board display means, both not taught by McMillan as discussed above. Claim 7 also includes details of a maintenance data management means, not taught or suggested by McMillan either on-board or off-board. Claim 8 recites the on-board display means, not taught by McMillan as discussed above. Claim 9 recites the on-board input means for inputting maintenance or management data, not taught by McMillan as discussed above.

Claim 10 is directed to a server apparatus which includes reception means for receiving maintenance or management data. McMillan does not disclose this feature as McMillan is silent as to any use of maintenance or management data as discussed above. Claim 11 includes a data input step of inputting maintenance or management data, not disclosed or suggested in McMillan, as discussed above. Regarding claim 16, McMillan does not teach the display means as discussed above.

The Office Action rejects claims 17-20 summarily. Claim 18 recites an on-board display means, not taught or suggested in McMillan as discussed above. Claim 19 recites an on-board input means for inputting maintenance or management data and an on-board display means, both not taught or suggested by McMillan, as discussed above. Claim 20 recites a maintenance data management apparatus including inspection information input means for inputting maintenance or management data, not taught or suggested by McMillan, as discussed above.

Regarding claim 21, McMillan does not disclose an on-board radio part receiving insurance premium data. While the Office Action cites to col. 6, lines 56-64, the cited section refers to the sending of navigation signals, not insurance premium data. Further, claim 21 recites an on-board display not taught by McMillan as discussed above.

Regarding claim 23, McMillan does not disclose an on-board input device for accepting entry of inspection information; an on-board processor for calculating insurance premiums; or an on-board display as discussed above. While McMillan discloses the driver input device 308 (col. 6, lines 54-56), there is no teaching or suggestion that it is capable of receiving inspection information. Further, McMillan is silent as to any use of inspection information in calculating insurance premiums. Further, while the Office Action cites to col. 10, lines 5-44 as teaching insurance premium calculation, this is not on-board.

Regarding claim 24, McMillan does disclose the use of a radio part to send data relating to calculated insurance premiums. Although McMillan discloses sending billing information electronically or by physical mail (col. 10, lines 43-44), McMillan fails to teach such transmission by radio.

Regarding claim 25, McMillan does not explicitly disclose a second detector for detecting the status of passenger protective equipment. However, McMillan does disclose the sensing of safety equipment used (col. 6, lines 36-37) which includes seat belt on status (see also col. 7, line 53).

Because McMillan does not disclose all of the features of any of the independent claims, claims 1-2, 4-14 and 16-25 are patentable over McMillan. Thus, Applicants respectfully request withdrawal of the rejection.

Claim Rejections Under 35 U.S.C. §103

The Office Action rejects claims 3 and 15 under 35 U.S.C. §103(a) over McMillan in view of U.S. Patent No. 6,157,342 to Okuda. Applicants respectfully traverse the rejection.

Claims 3 and 15 are patentable for the same reasons as base claims 1 and 11. Thus, Applicants respectfully request withdrawal of the rejection.

Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-25 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Jonathan H. Backenstose
Registration No. 47,399

JAO:JHB/tbm

Attachment:

Petition for Extension of Time

Date: August 7, 2006

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
